

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE
 in its capacity as elected Office

Date of mailing (day/month/year) 27 November 2000 (27.11.00)	
International application No. PCT/AU00/00393	Applicant's or agent's file reference FP12616/PJW
International filing date (day/month/year) 28 April 2000 (28.04.00)	Priority date (day/month/year) 28 April 1999 (28.04.99)
Applicant RICKETTS, Nigel, Jeffrie et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
 19 October 2000 (19.10.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer R. E. Stoffel Telephone No.: (41-22) 338.83.38
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INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU00/00393

A. CLASSIFICATION OF SUBJECT MATTER																						
Int. Cl. ⁷ : B22D 21/04, 21/02; A62D1/02; C22B 26/22, 4/02; C22C 1/02, 23/00																						
According to International Patent Classification (IPC) or to both national classification and IPC																						
B. FIELDS SEARCHED																						
Minimum documentation searched (classification system followed by classification symbols) IPC: B22D 21/04, 21/02; A62D1/02; C22B 26/22, 4/02; C22C 1/02, 23/00																						
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched																						
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) DWPI - Key words: fluoro:																						
C. DOCUMENTS CONSIDERED TO BE RELEVANT																						
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.																				
X	WO 96/22129 A (Minnesota Mining and Manufacturing Company) 25 July 1996 (see page 7, line 21 to last line; page 12, lines 21 to 23; page 14 lines 2 to 7)	1-8,10-12																				
X	US 5115868 A (Dougherty, Jr. et al.) 26 May 1992 (see col 2, line 65 to col 3, line 33; col 4, lines 31 to 38; Example 1, Example 5)	1-13																				
X	WO 91/02564 A (Great Lakes Chemical Corporation) 7 March 1991 (see page 4, lines 1 to 20; page 7, lines 19 to 25)	1-8, 10-12																				
A	US 5855647 A (Li et al.) 5 January 1999 (see the entire document)	1-16																				
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex .																						
<p>* Special categories of cited documents:</p> <table border="0"> <tr> <td>"A"</td> <td>document defining the general state of the art which is not considered to be of particular relevance</td> <td>"T"</td> <td>later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</td> </tr> <tr> <td>"E"</td> <td>earlier application or patent but published on or after the international filing date</td> <td>"X"</td> <td>document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</td> </tr> <tr> <td>"L"</td> <td>document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</td> <td>"Y"</td> <td>document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</td> </tr> <tr> <td>"O"</td> <td>document referring to an oral disclosure, use, exhibition or other means</td> <td>"&"</td> <td>document member of the same patent family</td> </tr> <tr> <td>"P"</td> <td>document published prior to the international filing date but later than the priority date claimed</td> <td></td> <td></td> </tr> </table>			"A"	document defining the general state of the art which is not considered to be of particular relevance	"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention	"E"	earlier application or patent but published on or after the international filing date	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	"O"	document referring to an oral disclosure, use, exhibition or other means	"&"	document member of the same patent family	"P"	document published prior to the international filing date but later than the priority date claimed		
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"O"	document referring to an oral disclosure, use, exhibition or other means	"&"	document member of the same patent family																			
"P"	document published prior to the international filing date but later than the priority date claimed																					
Date of the actual completion of the international search 8 June 2000		Date of mailing of the international search report 16 JUN 2000																				
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA		Authorized officer D. BREMABATNE																				

International application No.
PCT/AU00/00393

C (Continuation).		DOCUMENTS CONSIDERED TO BE RELEVANT
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4214899 A (Radzilowski) 29 July 1980 (see the entire document)	1-16
A	Derwent Abstract Accession No. 96-319293/32, class M25, JP, A, 08143985 (Tokai Rika Denki KK) 4 June 1996 (see the whole abstract)	1-16

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
PCT/AU00/00393

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
WO	9622129	CA	2210994	CN	1176606	EP	804264
		US	5718293	US	5919393		
US	5115868	AU	66199/90	BR	9007709	CA	2067385
		CN	1051126	EP	494987	EP	592019
		GR	90100731	US	5040609	ZA	9007929
		WO	9104766				
WO	9102564	AU	61719/90	BR	9006888	CA	2023333
		EP	439579	IL	95365	NO	911579
		ZA	9006427	US	5124053	AU	66152/90
		CA	2027273	CS	9004908	EP	447538
		WO	9105585	CN	1051513	AU	73400/91
		CA	2036563	CN	1054544	US	5113947
		WO	9112853	ZA	9101290	ZA	9007937
US	4214899	AU	55171/80	BR	8000791	CA	1162746
		DK	310/80	EP	16671	ES	488307
		ES	8102199	ES	494995	ES	494996
		ES	8105038	ES	8105039	FI	800682
		JP	55125214	NO	800150	YU	634/80
		ZA	8000277				
US	5855647	CA	2237748				
END OF ANNEX							

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

REC'D 13 SEP 2001

PCT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference FP12616	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International Application No. PCT/AU00/00393	International Filing Date (<i>day/month/year</i>) 28 April 2000	Priority Date (<i>day/month/year</i>) 28 April 1999
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ B22D 21/04, 21/02; A62D 1/02; C22B 26/22, 4/02, C22C 1/02, 23/00		
Applicant CAST CENTRE PTY LTD et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheet(s).

3. This report contains indications relating to the following items:

- | | | |
|------|-------------------------------------|---|
| I | <input checked="" type="checkbox"/> | Basis of the report |
| II | <input type="checkbox"/> | Priority |
| III | <input type="checkbox"/> | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| IV | <input type="checkbox"/> | Lack of unity of invention |
| V | <input checked="" type="checkbox"/> | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| VI | <input type="checkbox"/> | Certain documents cited |
| VII | <input type="checkbox"/> | Certain defects in the international application |
| VIII | <input type="checkbox"/> | Certain observations on the international application |

Date of submission of the demand 19 October 2000	Date of completion of the report 5 September 2001
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pat@ipaaustralia.gov.au	Authorized Officer

I. Basis of the report

1. With regard to the **elements** of the international application:*
- ☒ the international application as originally filed.
- ☐ the description, pages , as originally filed,
 pages , filed with the demand,
 pages , received on with the letter of
- ☐ the claims, pages , as originally filed,
 pages , as amended (together with any statement) under Article 19,
 pages , filed with the demand,
 pages , received on with the letter of
- ☐ the drawings, pages , as originally filed,
 pages , filed with the demand,
 pages , received on with the letter of
- ☐ the sequence listing part of the description:
 pages , as originally filed
 pages , filed with the demand
 pages , received on with the letter of
2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, was on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished
4. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.
5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 14 - 16	YES
	Claims 1 - 13	NO
Inventive step (IS)	Claims 14 - 16	YES
	Claims 1 - 13	NO
Industrial applicability (IA)	Claims 1 - 16	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)**NOVELTY : Claims 1 - 13**

D1= WO 9622129

D2= US 5115868

D3= WO 9102564

The invention disclosed in claims 1-13 is not novel in the light of the documents D1-D3.

The above documents disclose fire extinguishing compositions comprising hydrofluorocarbons and hydrofluoroethers having no ozone depletion potential and having a global warming potential of less than 5000. The disclosed compounds have boiling points less than 100°C and are used mixed with an inert carrier gas. These compositions are considered to be suitable for protection of molten magnesium/magnesium alloys.

INVENTIVE STEP

Claims 1-13: as above

FOR THE PURPOSES OF INFORMATION ONLY

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
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DE	Germany						